

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CHARLES A. RIPPY-BEY,)	
)	
Petitioner,)	
)	
v.)	1:12CV1188
)	
STATE OF NORTH CAROLINA,)	
)	
Respondent.)	

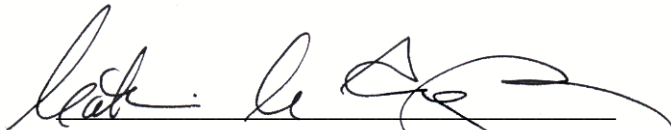
ORDER

The Recommendation of the United States Magistrate Judge was filed in accordance with 28 U.S.C. § 636(b) and, on November 7, 2012, was served on the parties in this action. No objections were filed within the time limits prescribed by § 636.

The Court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is filed and dismissed *sua sponte* without prejudice to Plaintiff filing a new complaint, on the proper § 2254 forms and in the proper district, which corrects the defects cited in the Magistrate Judge's Recommendation. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 7th day of December, 2012.


UNITED STATES DISTRICT JUDGE